

WEBCHAT

January Transcript

February 3, 2009

The Consular Section of the U.S. Embassy launched its first Webchat program on January 23. The Consular Section's Webchat is an online forum to ask visa related questions. The Webchat will address one issue at a time and the first Webchat accepted questions on the Diversity Visa only. Between 23 to 29 January many visitors posted questions. Here are the responses:

1. Question Submitted by Roshan Dahal: What are the diversity visa requirements to get it?

Answer: In order to be eligible to participate in the Diversity Visa Program, you must be a native of one of the countries listed as eligible to participate. Currently, Nepal is an eligible country. While anyone is free to enter the lottery, you must meet strict but simple education or work experience requirements to actually be qualified to receive a Diversity Visa. The education requirements are 12 years of formal education comparable to the completion of 12 years of elementary and secondary education in the United States. In Nepal this means:

- Intermediate or certificate level, which is the degree obtained for successfully attending and passing two years in a college after ten years of school.
- Ten plus two that includes twelve years of formal schooling (academic or, only in special cases noted below, vocational).

Actual attendance in a college or 10+2 institute is mandatory to count as twelve years of formal schooling. Private exams taken in lieu of school attendance do not count as twelve years of formal education under the laws of the United States. Vocational degrees, including the CTNET, will count only all institutes of higher education. Vocational degrees that allow limited admission to selected programs will not count as twelve years of formal education for the purposes of the DV. If they are accepted in Nepal as a basis for further academic study to programs in

An applicant can also qualify based on work experience. To qualify on work experience one must have worked for two years within the past five years in a job recognized by the U.S. Department of Labor's job database, O*Net as qualifying. To be qualifying work it must be designated as a Job Zone 4 or 5, classified in a Specific Vocational Preparation (SVP) range of

7.0 or higher by the U.S. Department of Labor. All work experience is verified and you must convince the visa officer that you in fact work in your purported field. Very few people qualify for the Diversity Visa based on work experience. If you do not have any of the above qualifications, you should NOT pay the non-refundable \$775 DV processing fee to appear for a DV interview, as you will be found ineligible.

Aside from this basic requirement, the principal applicant must have provided the name of his/her spouse and all children less than 21 years of age who are not already US Legal residents or citizens on the initial E-DV entry form. Note that in some cases there are disqualifying health conditions or past criminal activity.

2. Question Submitted by Guest 5: Respected Sir/Madam I am DV 2009 lottery winner with case number 19XXX. What will happen to me? Will my case number get current? It would be helpful to know what case numbers are being processed. Can this be made available?

Answer: We are currently processing DV winners whose case numbers are below 11000. We cannot project what case number we will get to this year as this largely depends on the demand for visa numbers. If your case number becomes current within the fiscal year, you will receive an appointment packet from the Kentucky Consular Center in the U.S. Also, please refer to travel.state.gov for more information about the DV Lottery Program.

3. Question Submitted by Chandrakantchataut: Will everyone who got the first DV letter be called for an interview? Please explain this?

Answer: Not everyone who was sent the first DV letter will be called in for an interview. This depends largely on the availability of DV numbers. The Kentucky Consular Center posts the current case number range every month.

4. Question Submitted by Nabin K Neupane: If a person is qualified by the second letter then how much bank balance and property or income sources does he or she need to hold for DV visa?

Answer: The second letter does not qualify you to receive a visa. It informs you that you will have an interview. At the interview, you will have to demonstrate that you have sufficient financial resources to support yourself and/or any family members who may accompany you to the U.S. until you find a job that makes enough money to support you and family. There is no specific cut-off or level of income required. Consular officers will ask a DV applicant about their sponsor in the U.S. to make sure someone will help them once they arrive. This offsets the expense of moving.

5. Question Submitted by Anish: What is a Diversity Visa?

Answer: U.S. Congress introduced the Diversity Visa program to ensure that American society is proportionately represented by a diversity of people from across the world. The Diversity Visa is an immigrant visa aimed at increasing diversity in the United States.

6. Question Submitted by Santosh: Dear Sir/madam, I would like to know whether one is capable of applying for DV if s/he has already received a F1 visa?

Answer: Yes, so long as you meet the basic requirements set under the DV program and are a national of a country that is eligible to participate in the Diversity Visa Program.

7. Question Submitted by Narayan K.C.: Does age matter in getting a Diversity Visa?

Answer: There is no minimum or maximum age for the DV so long as you can prove that you meet the minimum requirements to qualify.

8. Question Submitted by Sunil: Does winning the DV lottery itself guarantee that you will receive US visa?

Answer: No, being picked under the DV lottery does not guarantee a U.S. visa. What it means is you are eligible to apply for the visa provided your visa appointment has been scheduled by the Kentucky Consular Center. During your visa interview, you must show that you are qualified to receive a visa in accordance with the U.S. Immigration and Nationality Act. For basic requirements to qualify see the above question #1 or visit the Department of State's website at: <http://travel.state.gov> and click on DV information.

9. Question Submitted by Dipendera Yadav: How can I enter the Diversity Visa lottery?

Answer: To participate in the DV Visa program, you should apply through the designated website at www.dvlottery.state.gov. Before submitting your entry, please read the instructions carefully. Note: The next batch of the DV Visa program is not open yet, but when it is announced, you may apply through the above website. Applying is completely free. You do not have to pay any fee to enter the DV lottery. If you have been asked to pay a fee, please be aware that fee is not for the U.S. Department of State or the U.S. Embassy in Kathmandu. Also remember to fill out your DV lottery application completely and accurately.

10. Question Submitted by Ganesh: I had my baby after receiving the first DV letter and sent his birth certificate and form to KCC later. Will my case be accepted or not?

Answer: Any winners who have a baby after entering the program and receiving the first letter should promptly notify the Kentucky Consular Center by sending a copy of child's birth certificate. Your case will then be processed by KCC and you will be scheduled an appointment should your case number become current. Your case will not be refused simply because you had a baby after your initial E-DV Entry. Note that if you have a child before you enter the E-DV lottery and you do not list this child on your E-DV application, you will not qualify for the DV.

11. Question Submitted by Ganesh: Is the spouse and dependent also counted as an immigrant?

Answer: Yes, provided that the principal winner of the DV entered the name of the spouse or other eligible dependents in the initial entry. Note: if the principal applicant does not qualify for a DV visa, your spouse and children will also not qualify. If you have not listed your spouse and children under 21 on your E-DV lottery application, you will be disqualified.

12. Question Submitted by Prakashl: Can one show work experience as being self-employed if the Job Zone and range match that required by DV qualification?

Answer: The U.S. Department of Labor's O*Net On-Line database will be used to determine qualifying work experience. Regardless of what type of work experience you have, it must be two years of qualifying work experience in the past five years. See question #1 above for details on the determining what is "qualifying work experience".

13. Question Submitted by Prakashl: Is 10 years of schooling plus GED acceptable as proof of 12 years of education in order to qualify for DV?

Answer: In general, to fulfill the education requirement to qualify for the Diversity Visa, one must have completed 12 years of elementary and secondary study in the United States OR have completed a formal (i.e. -- sitting in class for twelve 12 full years) course of elementary and secondary education comparable to completion of 12 years elementary or secondary education in the United States. According to U.S. law, "12 years of education" refers only to a formal course of study and equivalency certificates are not acceptable. While a determination on any case cannot be made prior to an interview, U.S. law indicates that equivalency certificates like a GED would most likely not qualify one for a Diversity Visa.

14. Question Submitted by Sushil Manandhar: I have also submitted the DV Lottery Application 2008. When will the result be published?

Answer: In order to coincide with the U.S. Government's fiscal year (which runs from October to September), the DV program is announced one year ahead of any specific fiscal year. The processing time takes approximately one more year. Therefore, the entire process takes about two years. Consequently, those people who will enter the DV in FY2009 are interviewed starting in October of 2010. Those who entered in FY2008 are interviewed beginning in October 2009.

15. Question Submitted by Sushant Shrestha: What are the photograph specifications?

Answer: The photograph of each diversity visa applicant must be an unmounted full-face photo, taken within the past six months. A "full-face" photo is one in which the applicant is facing the camera directly. The applicant should not be looking down or to either side, and the face should cover about 50 percent of the area of the photo. It is preferable that ears be exposed. The key requirement is that the photographs clearly identify the applicant. The photograph should measure from 2 inches (roughly 5 centimeters by 5 centimeters square) with the head centered in the frame. Photos may be either in color or black and white against a white or off-white background. Photo should be stapled to Form DS-230 Part 1 (Application for Immigrant Visa and Alien Registration). The staples should be placed as far away as possible from the applicant's face. Photos taken in front of busy patterned or dark backgrounds should not be accepted. Head coverings and hats are only acceptable due to religious beliefs, and even then, may not obscure any portion of the face of the applicant.

16. Question Submitted by Milan: I completed my SLC examination as a private candidate of District Education Office, Kathmandu in 1998. Now I have completed my master's degree from Tribhuvan University. Will I be eligible for a visa? I heard that since I did my SLC as a private candidate I will not be eligible, is that so?

Answer: Please see the answer to question #1 and use them to evaluate your case as best as possible on your own. We cannot provide a ruling on your case. Only a consular officer at an interview can do that.

If you have more questions, keep checking the [U.S. Embassy Website](#) or the [Webchat website](#). More Webchats will be announced in the future.